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DOC #:

DATE FILED:

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

BEVERLY ADKINS, CHARMAINE WILLIAMS, REBECCA PETTWAY, RUBBIE McCOY, WILLIAM YOUNG, on behalf of themselves and all others similarly situated, and MICHIGAN LEGAL SERVICES, 060-03-866

Plaintiffs.

1:12-cv-7667-HB

MORGAN STANLEY, MORGAN STANLEY & CO. LLC, MORGAN STANLEY ABS CAPITAL I INC., MORGAN STANLEY MORTGAGE CAPITAL INC., and MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC,

Defendants.

## STIPULATION AND PROPOSED ORDER FOR ADOPTION OF REVISED SCHEDULING ORDER

WHEREAS, on December 20, 2013 the Parties conferred with the Court via teleconference regarding the Scheduling Order adopted by the Court on August 21, 2013;

WHEREAS, the Parties advised the Court that they believe a modest extension of the schedule in this case is necessary and discussed with the Court the general outlines of a proposed revised schedule, including a trial date;

WHEREAS, the Court invited the parties to submit the revised schedule they are proposing to the Court in the form of a proposed order for the Court's consideration;

WHEREAS, the Parties have conferred and reached agreement on the proposed schedule Section 1995 set forth below;

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## IT IS HEREBY STIPULATED AND AGREED by the Parties, and it is ORDERED by the Court, that the Scheduling Order shall be modified as follows:

Event	Current Date	Proposed Date	
Last day to complete pre-class certification, non-expert discovery	January 27, 2014	April 4, 2014	
Plaintiffs' motion for class certification and disclosure of expert witnesses due	March 25, 2014	May 13, 2014	
Plaintiffs to make experts and declarants not previously identified as potential witnesses available for deposition	By April 24, 2014, provided that Defendants may elect to take any depositions through June 9, 2014	By June 4, 2014, provided that Defendants may take depositions up to July 28, 2014	
Defendants' opposition to class certification and disclosures of expert witnesses due	June 9, 2014	July 28, 2014	
Defendants to make experts and declarants not previously identified as potential witnesses available for deposition	By July 9, 2014, provided that Plaintiffs may elect to take any depositions through July 24, 2014	By August 18, 2014, provided that Plaintiffs may take depositions up to September 11, 2014	
Plaintiffs' reply in support of class certification due	July 24, 2014	September 11, 2014	
Oral argument on class certification	Not set	To be determined by the Court	
Conference among counsel regarding any necessary additional merits discovery and procedural steps'	Not set	Within two weeks of a decision on class certification	
Status conference to resolve any issues regarding additional merits discovery and procedural steps	Not set	Within three weeks after a decision on class certification	
Last day for briefing of summary judgment motions to be completed	3 months before trial ready date	December 1, 2014	

Within two weeks of the Court's decision on the motion for class certification, the parties will confer about the following issues: (1) any remaining necessary merits discovery. (2) any further expert discovery and deadlines for any such disclosures and discovery, and (3) procedures to govern the remainder of the matter.

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•	Oral argument on dispositive motions	Not set	To be determined by the Court
٠,	Trial-ready date	Not set	March 23, 2015
	IT IS SO ORDERED:		April 8 months
		and Dent	The Honorable Harold Baer, Jr. United States District Judge
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	Dated: December 2, 103	AND THE	is a failly submitted,
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Counsel for Defendants

## Endorsement:

I've signed the Stipulation but to tighten the schedule for your benefit and mine we will have oral argument on class cert motion last week in August and fully briefed summary judgment motions (assuming certification) no later than October 15 and plan for trial in December - this is all tentative unlike your schedule but this is or will be a 3 year old case under your schedule and that's not my choice - if it turns out I have a choice. Let's plan on pre trial conference either the day before or preferably directly following oral argument on class cert motion and see where we are.